

Wetlands Applications Decision Report

Decisions Taken
09/11/2017 to 09/17/2017

Approved
MAT

9/18/17

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or atappeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

MAJOR IMPACT PROJECT

2017-00952

JAMES R IRWIN & SONS INC

GILFORD BLACK BROOK

Requested Action:

Dredge and fill 24,065 square feet of forested wetland to construct a boat storage facility with two buildings and associated infrastructure. Wetland impacts will be mitigated by on-site and stream restoration totaling 52, 180 square feet of wetland restoration and 375 linear feet of stream restoration.

Conservation Commission/Staff Comments:

Per DHR, survey will be necessary before informed comments can be made. Areas within the parcel are considered archeologically sensitive.

Part of the project is also in Laconia; tax map 304, lot# 22-6

4/10/2017 Gilford Con. Com. requests a "hold" on the application until they can review it at their next scheduled meeting and they may also conduct an on-site inspection.

4/21/2017 Laconia Con. Com. requests a "hold" on the mitigation and wetland installation portion of this joint project with the Town of Gilford.

APPROVE PERMIT

Dredge and fill 24,065 square feet of forested wetland to construct a boat storage facility with two buildings and associated infrastructure. Wetland impacts will be mitigated by on-site and stream restoration totaling 52, 180 square feet of wetland restoration and 375 linear feet of stream restoration.

With Conditions:

1. All work shall be in accordance with plans by DuBois & King, Inc. with revisions dated March 2017 and revised through August 15, 2017 as received by the NH Department of Environmental Services Land Resources Management Program (NHDES) on August 17, 2017. Any changes shall be submitted to NHDES in writing and approved by NHDES prior to implementation.
2. This permit is not valid and effective until a plan restricting development activities in the wetland restoration areas has been recorded with the Belknap County Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail.
3. This permit is not valid unless an Alteration of Terrain permit is issued in accordance with RSA 485-A:17 and Env-Wq 1500.
4. This permit is contingent on review and approval, by the NHDES, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow and pond diversion during construction, and show temporary siltation/erosion/turbidity control and other stabilization measures and water quality controls to be implemented.
5. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
6. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site. Any slope stabilizing materials must be free from plastic or other non-biodegradable materials that create a mesh that can impact wildlife. Coco matting and other natural fibers are acceptable.
7. Wetland soils from areas vegetated with invasive plant species shall not be used in the wetland restoration site. Precautions shall be taken to prevent import or transport of soil or seed stock containing invasive plant species. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008). The permittee shall control invasive plant species by measures agreed upon by the DES Wetlands Program if any such species is found in the stabilization areas during construction or during the early stages of vegetative establishment.
8. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during

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construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.

9. All in-stream work shall be conducted during low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.

10. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work site and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

12. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. No cutting or harvesting of trees shall occur at the project site between April 1 and September 30 to avoid potential impacts to the northern long-eared bat. All potential roosting trees outside of the construction zone shall be identified, flagged, and documented pre-and post construction. Clearing operations shall be performed during winter months between October to May.

14. Prior to commencing work located within the stream restoration area the permittee or permittee's contractors shall construct a cofferdam to isolate the work area from the stream. No excavation shall be done in flowing water and no construction equipment shall be operated in flowing water.

15. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.

16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.

17. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.

18. Materials used to emulate a natural stream channel surface must be rounded, smooth stones similar to the natural stream substrate and shall not include angular rip-rap. Stream bed materials shall be consistent in size and gradation with the undisturbed channel bottom in the immediate reference reach.

19. Restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Program.

20. The permittee or permittee's contractor shall properly construct, landscape, and monitor the restoration areas, and shall take such remedial actions as may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.

21. Subsequent monitoring reports, prepared by a qualified professional, shall be submitted to NHDES by December 1, 2018, December 1, 2019, December 1, 2020, December 1, 2021, and December 1, 2022 to document the success of the construction and outline a schedule for remedial actions if necessary. The report should include a longitudinal profile of the stream restoration area and include cross sections of the wetland and stream restoration areas. Such reports shall be submitted to NHDES, the ACOE, the Gilford Conservation Commission and the Laconia Conservation Commission with narrative description, photographs and the cross-sections, demonstrating the conditions on the site, a summary on vegetative success, any necessary remedial actions to improve plant establishment, flood storage capacity, and a schedule for completing the remedial actions and conducting follow up inspections.

22. Upon being notified by the certified wetland scientist who is monitoring the mitigation project that the mitigation project is not likely to achieve its objectives after the number of growing seasons specified in the monitoring plan, a remediation plan shall be submitted within 45 days of the notification or request the department to accept an in lieu mitigation payment to compensate for the portions of the project that failed to meet the performance standards.

23. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

24. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.

25. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

26. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

27. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.

With Findings:

1. This is a major impact project per Administrative Rules Env-Wt 303.02(c) for pProjects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The proposed project will

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support expansion of an existing business to reduce over-crowding at other local facilities. The proposed impacts will include grading to create a level storage area and locations for two larger buildings. The buildings are intended to house a boat maintenance shop and a distribution center for the Irwin stores throughout the lakes region.

3. The project includes 24,065 square feet of wetland impacts and will be mitigated by on-site wetland and stream restoration totaling 52,180 square feet of wetland restoration and 375 square feet of stream restoration. The wetland restoration ratio is 2.1:1.

4. The Gilford portion of the site has historically been used as part of a lumber mill and an open field with usage ending in the 1960s. The site also had a single family house that was removed in the 1970s, and houses demolished at the end of Blaisdell Ave in the 1980s. Several areas of the site have been regraded or have been used as borrow pits over the years. The Laconia portion of the property has existing boat storage building and boat storage on it and the majority of the remaining property is wetlands. The remainder is a series of old saw dust piles left over from the past mill operations.

5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

6. A Biological Assessment for the Northern Long-eared bat was performed at the project site dated April 2, 2017. The assessment included actions to be implemented to safeguard the Northern Long-eared bat. The actions have been included as conditions of the permit.

7. A Biological Assessment for the Small Whorled Pogonia (*Isotria medeoloides*) dated November 10, 2015. The assessment concluded that certain features preferred by this plant appear to be present however critical habitat need appears to be severely restrained. An extensive field search was performed although the species was not identified to be located at the site.

8. A Wetland Evaluation and Function and Value Assessment was completed dated March 30, 2017. The primary functions identified in the 8 on-site wetland areas were Floodflow Alteration and Groundwater Recharge and Wildlife Habitat.

9. The Town of Gilford Conservation Commission requested a statutory 40-day hold on the application decision until the application can be reviewed at their next scheduled meeting and they conduct an on-site inspection per letter dated April 10, 2017. On May 2, 2017 the Gilford Conservation Commission attended a site walk at the subject property and discussed the project at its regular meeting. The Gilford Conservation Commission voted to recommend approval of the application as submitted per plan and application with the caveat that they receive copies of the mitigation reports. Provision of the annual monitoring reports to the Gilford Conservation Commission has been included as a condition of the permit.

10. The applicant's agent has reportedly met with the Laconia Conservation Commission on March 22, 2017 to review the mitigation. The applicant's agent has indicated that the commission was reportedly working on an analysis of the overall status of Black Brook. The report is to be submitted to NHDES and the overall goal of both towns is to improve the health of the stream which has been channelized, culverted and reduced buffers along much of its length upstream of the project site. The comment from the Laconia Conservation Commission was reportedly this is one they won't have to take care of. No additional comments were received from the Laconia Conservation Commission.

11. Wetland impacts will be mitigated by on-site and stream restoration totaling 52,180 square feet of wetland restoration and 375 linear feet of stream restoration. The wetland restoration ratio is 2.2:1. Wetland and stream restoration areas will be monitored for a period of 5-years post-construction.

12. The United States Department of the Interior, Fish & Wildlife Service has reviewed the proposed project and determined per letter dated March 23, 2017. There were no critical habitats identified within the project area.

13. The USEPA has reviewed the proposed work and determined the project is eligible as proposed per letter dated May 18, 2017.

14. The New Hampshire Natural Heritage Bureau (NHB) has reviewed the proposed project and determined that although there was a NHB record present in the vicinity, it is not expected that it will be impacted by the proposed project per letter dated February 21, 2017.

2017-01221

NEWFOUND LAKE REGION ASSOCIATION

HEBRON COCKERMOUTH RIVER

Requested Action:

Impact 1,321 square feet of bank along 348 feet of shoreline to restore and stabilize bank previously supported by failed timber retaining walls on 4,600 feet of frontage along the Cockermonth River in Hebron.

Conservation Commission/Staff Comments:

1/25/17 Per DHR, additional information is needed in order to complete review.

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APPROVE PERMIT

Impact 1,321 square feet of bank along 348 feet of shoreline to restore and stabilize bank previously supported by failed timber retaining walls on 4,600 feet of frontage along the Cockermouth River in Hebron.

With Conditions:

1. All work shall be in accordance with plans by Barnard Survey Associates, Inc. dated August 1, 2013, as revised by L. Mills August 17, 2017, and received by DES on August 25, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
9. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.
10. The permittee shall control invasive plant species such as Purple loosestrife (*Lythrum salicaria*) and Common reed (*Phragmites*) by measures agreed upon by the DES Wetlands Program if any such species is found in the stabilization areas during construction or during the early stages of vegetative establishment.
11. Equipment initially entering surface waters shall be completely free of any aquatic plants and animals. Boat washing/rinsing shall not take place in areas in subject to RSA 482-A jurisdiction.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
13. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.
14. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
15. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
16. Information, including photographs, on the identification of Wood Turtles shall be provided to all individuals working on the site. Particular care shall be exercised to avoid any adverse impacts to, or accidental destruction of, turtles, nests, and eggs.
17. The NH Fish & Game, Wetland Systems Biologist shall be contacted at (603) 271-3016 upon any observation of Wood Turtles, nests, or eggs.
18. The use of erosion control netting, whether welded plastic or biodegradable, is prohibited.

With Findings:

1. This is a major impact project per Administrative Rules Env-Wt 303.02(i), projects that disturb 200 or more linear feet of perennial nontidal river bank and (k), projects in a wetland that has documented occurrences of state or federally listed Endangered or Threatened species.
2. The proposed impacts are located completely within an man-made inlet dredged off the thread of channel of the Cockermouth River in Hebron.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. DES finds that the permitted project is not of substantial public interest, and will not have a significant impact on or

adversely affect the values identified under RSA 482-A:1 of this riverine resource, and therefore, a public hearing under RSA 482-A:8 is not required.

7. Pursuant to Rule Env-Wt 302.03, Avoidance, Minimization, and Mitigation, the permanent impacts that will remain after avoidance and minimization measures have been addressed are sufficient to require the submittal of a compensatory mitigation proposal in accordance with Chapter Env-Wt 800.

8. Pursuant to Rule Env-Wt 803.06, Alternative Compensatory Mitigation Proposals, (a) Compensatory mitigation proposals shall meet or exceed the ratios listed in Table 800-1, unless the applicant proposes an alternative that will have greater benefit to water quality, wildlife and their habitat(s), or other functions and values of wetlands and surface waters identified in RSA 482-A:1 or to exemplary natural communities as identified by the DRED-NHB, or habitat that supports rare, threatened, or endangered species, or species of concern, as identified by the natural heritage bureau or by the New Hampshire department of fish and game's New Hampshire Wildlife Action Plan, 2005.

9. Pursuant to Rule Env-Wt 803.06, Alternative Compensatory Mitigation Proposals, (b) an alternative compensatory mitigation proposal may include restoration of functions within a degraded jurisdictional area.

10. All of the impacts proposed are for the purpose of completing the removal of a commercial marina and associated facilities and conversion of the lot to use as community-focused environmental education area.

11. The removal of the proposed wall and creation of sloped vegetated surfaces will greatly improve the ability of wildlife to move between aquatic and terrestrial habits through the riparian zone.

12. Because the project will provide a greater benefit to water quality, wildlife and their habitat(s) and includes the restoration of functions within a degraded jurisdictional area, the Department finds that the requirements of Rule Env-Wt 803.06, and thus also Rule Env-Wt 302.03, have been met.

2017-01592

NH DEPT OF TRANSPORTATION

ROCHESTER Unnamed Stream

Requested Action:

Replace a 5 ft. wide x 7 ft. high arch CMP with a 103 inch x 71 inch high polymer coated corrugated metal arch pipe approximately 5 ft. from the existing culvert and install a 36 inch RCP wildlife crossing at the existing culvert location 3 feet higher than the proposed project culvert impacting 2,055 sq. ft. (637 sq. ft. temporary) of riverine and palustrine wetlands. Compensatory mitigation includes a one-time payment of \$23,278.80 to the Aquatic Resource Mitigation Fund. NHDOT project 21832

Conservation Commission/Staff Comments:

8/11/17 Con. Com. has no objections, comments or concerns.

LAC - no comments

APPROVE PERMIT

Replace a 5 ft. wide x 7 ft. high arch CMP with a 103 inch x 71 inch high polymer coated corrugated metal arch pipe approximately 5 ft. from the existing culvert and install a 36 inch RCP wildlife crossing at the existing culvert location 3 feet higher than the proposed project culvert impacting 2,055 sq. ft. (637 sq. ft. temporary) of riverine and palustrine wetlands. Compensatory mitigation includes a one-time payment of \$23,278.80 to the Aquatic Resource Mitigation Fund. NHDOT project 21832

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 04/2017 as received by the Department on June 5, 2017.
2. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
3. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

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6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
13. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
14. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
15. The impacts associated with the temporary work shall be restored immediately following construction.
16. No work in jurisdiction shall occur during September through October.
17. This permit is contingent upon the submission of stamped engineering plans in accordance with Rule Wt 404.04.
18. This permit is contingent upon the submission of plans showing existing and proposed contours having a numerical reference.
19. The permittee shall comply with the requirements for stream enhancement relative to Mitigation Project Monitoring in accordance with Env-Wt 803.04(a) and shall monitor for no fewer than 5 growing seasons per Env-Wt 803.04 (b).
20. This approval is not valid until DES receives a one-time payment of \$23,278.80 to the DES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to DES. If DES does not receive payment within 120 days of the date of this approval letter, DES will deny the application.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was coordinated through the Natural Resource Agency monthly meetings and discussed on Dec. 21, 2016.
6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
7. The DES has determined the applicant has met the purpose of the current stream rules relative to not causing damage upstream or downstream and not impeding aquatic organisms.

Mitigation Findings:

8. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
9. Mitigation compensation is for 95 linear feet of channel and bank impacts
10. The payment calculated for the proposed wetland loss equals \$23,278.80.
11. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

2017-02199

RANDOLPH, TOWN OF

RANDOLPH CARLTON BROOK

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Requested Action:

Dredge and fill 100 square feet (SF) within Carlton Brook (tier 3 perennial stream, impacting 30 linear feet along the stream bed and banks) to install a 4 foot high by 8 foot wide open-bottom precast concrete culvert that is 30 feet long to replace the failing concrete, stone, and corrugated metal pipe culvert across a municipal roadway. In addition, temporarily impact 325 SF (impacting 150 linear feet along the stream bed and banks) for equipment access and erosion controls.

APPROVE PERMIT

Dredge and fill 100 square feet (SF) within Carlton Brook (tier 3 perennial stream, impacting 30 linear feet along the stream bed and banks) to install a 4 foot high by 8 foot wide open-bottom precast concrete culvert that is 30 feet long to replace the failing concrete, stone, and corrugated metal pipe culvert across a municipal roadway. In addition, temporarily impact 325 SF (impacting 150 linear feet along the stream bed and banks) for equipment access and erosion controls.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC dated May 20, 2017, and revised through August 24, 2017, as received by the NH Department of Environmental Services (DES) on September 11, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and New Hampshire Administrative Rule Env-Wq 1400 during and after construction.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Administrative Rule Env-Wq 1700.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
5. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
6. Appropriate turbidity, siltation, and erosion controls shall be in place prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until the area is stabilized, suspended particles have settled, and water at the work site has returned to normal clarity. Temporary controls shall be removed once the area has been stabilized.
7. Turbidity and erosion control products shall be installed per manufacturers recommended specifications during periods of low flow. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
10. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only.
12. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. No machinery shall enter the water.
14. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
15. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
16. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
18. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
19. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
20. Native material removed from the streambed during culvert installation shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert, between wing walls, and beyond. Any new materials used must be as similar to the natural stream substrate as practicable and shall not include any angular rock.

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21. Materials used to emulate a natural channel bottom must be consistent with the streambed materials identified in the reference reach, and shall not include angular riprap or gravel unless specifically identified on the approved plans.
22. Proper headwalls shall be constructed within seven days of culvert installation.
23. Any fill used shall be well-graded, clean sand, gravel, rock, or other suitable material.
24. Area of temporary impact shall be regraded to original contours following completion of work.
25. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(p), for replacement of a tier 3 stream crossing that meets NH Administrative Rule Env-Wt 904.08.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01. The project is necessary for public roadway maintenance.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per NH Administrative Rule Env-Wt 302.03. The proposed impacts associated with this crossing are within a previously disturbed area of wetlands located adjacent to a public roadway.
4. The applicant has demonstrated by plan and example that each factor listed in NH Administrative Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
6. An open-bottom, precast, concrete culvert will be installed in place of the originally proposed closed-bottom, box culvert with stream simulation.
7. The Town of Randolph Conservation Commission signed the wetlands permit application on May 01, 2017, waiving the right to intervene per RSA 482-A:11 with no objection to the proposed work.
8. In a review letter dated April 09, 2017, the NH Natural Heritage Bureau (NHB) stated that there was no record in the vicinity of the proposed project.

MINOR IMPACT PROJECT

2017-00600

CHASES GROVE TENANTS ASSOCIATION INC

DERRY BIG ISLAND POND

Requested Action:

Impact 9,341 square feet of exposed lakebed to reclaim sand deposits eroded from the adjacent 150 ft. x 40 ft. community beach and regrade and replenish said beach with 10 cubic yards of sand on an average of 628 feet of frontage along Big Island Pond in Derry.

Conservation Commission/Staff Comments:

3/6/17 Per DHR, no historic properties affected.

APPROVE PERMIT

Impact 9,341 square feet of exposed lakebed to reclaim sand deposits eroded from the adjacent 150 ft. x 40 ft. community beach and regrade and replenish said beach with 10 cubic yards of sand on an average of 628 feet of frontage along Big Island Pond in Derry.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated January 30, 2017, as received by DES on March 6, 2017.

09/11/2017 to 09/17/2017

2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. All dredged material with the exception of the 10 cubic yards of sand to be used for beach replenishment shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Work shall take place in the dry during drawdown.
9. This permit authorizes a single dredge event only, in the area depicted on the approved plans.
10. Equipment initially entering the lake bed shall be completely free of any imported aquatic plants and animals.
11. Equipment washing/rinsing shall not occur in any area that is subject to RSA 482-A jurisdiction.
12. Launching and recovering equipment and off-loading spoils shall not destabilize or otherwise disturb the bank.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) projects involving between 3,000 and 20,000 square feet of alteration in the aggregate of nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Big Island Pond is a natural lake raised by damming.
6. The project impact area within the lakebed is limited to portions of the lakebed overflowed by water impounded by the dam.
7. Those portions of the lakebed overflowed as a result of the artificial impoundment of water are not public submerged lands.
8. The owner of the dam and flowage rights, Big Island Pond Corporation, submitted a signed notarized letter stating that they had no objection to the proposed sand reclamation from the lakebed.

2017-00870

BIRGE, NANCY/STEPHEN

GILFORD LAKE WINNIPESAUKEE

Requested Action:

Applicant requests to amend permit to eliminate the construction of the new docking structure in favor of converting the existing seasonal structures to permanent structures.

Conservation Commission/Staff Comments:

3/21/17 per DHR, No Historic Properties Affected

APPROVE AMENDMENT

Amend permit to read: Completely remove a pre-existing "W" shaped seasonal docking structure, construct two 4 ft. x 30 ft. piling piers connected to a 6 ft. x 64 ft. piling pier by a 4 ft. x 32 ft. walkway in "W" configuration and reinstall two 14 ft. x 32 ft. seasonal canopies, two seasonal boatlifts, and two seasonal personal watercraft lifts on an average of 572 feet of frontage

09/11/2017 to 09/17/2017

along Lake Winnepesaukee on Mark Island, in Gilford.

With Conditions:

1. All work shall be in accordance with revised plans by Watermark Marine Construction dated August 13, 2017, as received by DES on September 8, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All construction-related debris shall be placed outside of those areas subject to RSA 482-A.
7. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 10 ft. from the abutting property line and the imaginary extension of that line into the water as authorized by the owners of the property identified as Lot 2 on Gilford Tax Map 245 by signed notarized waiver dated August 17, 2017.
9. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
10. No portion of the docking structures shall extend more than 64 feet from the shoreline at full lake elevation (Elev. 504.32).
11. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
12. The canopies, including the support frames and covers, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopies shall be removed for the non-boating season.

With Findings:

1. This project is reclassified as a minor project per Rule Env-Wt 303.03(d), construction of a docking facility providing 4 slips.
2. The applicant has an average of 572 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 8 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. The pre-existing seasonal docking structure crosses over an imaginary extension of the property line of the abutter to the north. The owners of the property to the north identified as Lot 2 on Gilford Tax Map 245 authorized the relocation of the docking facility 10 feet from the property by signed notarized waiver dated August 17, 2017 pursuant to RSA 482-A:3 IV-a.

2017-01301

LAWRENCE, DANIEL

TUFTONBORO LAKE WINNIPESAUKEE

Requested Action:

Request permit name change to: Barbara J. Rulison & Pamela A. Censullo
Impact 200 square feet of lake bed in order to relocate 9 rocks approximately 20 feet northerly of their respective locations to improve navigational access to an existing pier on an average of 124 feet of frontage along Lake Winnepesaukee, on Cow Island, in Tuftonboro.

Conservation Commission/Staff Comments:

5/9/17 Per DHR, no historic properties affected.
5/24/17 ConCom defers application to Wetlands Bureau.

09/11/2017 to 09/17/2017

APPROVE NAME CHANGE

Impact 200 square feet of lake bed in order to relocate 9 rocks approximately 20 feet northerly of their respective locations to improve navigational access to an existing pier on an average of 124 feet of frontage along Lake Winnepesaukee, on Cow Island, in Tufonboro.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised July 17, 2017, and received by DES on July 28, 2017.
2. Each rock shall be relocated not more than 20 feet northerly of its pre-existing location. The rocks shall not be piled in a single location but rather shall remain distributed through the north portion of the cove.
3. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

With Findings:

This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02 (b).

2017-01845

NH DEPT OF RESOURCES & ECONOMIC DEVELOPMENT

WINDHAM Unnamed Wetland

Requested Action:

Fill 4320 square feet of palustrine forested seasonal flooded wetland to improve and upgrade an existing abandoned rail bed to create a greenway trail connecting to an existing greenway trail.

Conservation Commission/Staff Comments:

9/16/16 Additional information is needed in order to complete review.
Per DHR, no historic properties affected.

APPROVE PERMIT

Fill 4320 square feet of palustrine forested seasonal flooded wetland to improve and upgrade an existing abandoned rail bed to create a greenway trail connecting to an existing greenway trail.

With Conditions:

1. All work shall be in accordance with plans by Keach Nordstrom Associates Inc. dated August 01, 2017, as received by the NH Department of Environmental Services (NHDES) on June 26, 2017.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property, the prior to work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the NHDES Wetlands Program.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 482-A and Env-_Wq 1700.
4. Not less than 5 state business days prior to the starting of work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

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6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Erosion control products shall be installed per manufacturers recommended specifications.
10. No machinery shall enter the water.
11. Mulch used within the wetland restoration areas shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
12. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Program within 60 days of final site stabilization.
13. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
14. No excavation shall be done in flowing water.
15. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
16. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
18. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
19. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoil shall be stockpiled separately from subsoil and shall be restored following backfill.
20. Any fill used shall be clean sand, gravel, rock, or other suitable material.
21. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
22. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.
23. The permittee shall control invasive plant species such as Purple loosestrife (*Lythrum salicaria*) and Common reed (*Phragmites*) by measures agreed upon by the DES Wetlands Program if any such species is found in the stabilization areas during construction or during the early stages of vegetative establishment.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in aggregate in non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed project will fill an area of abandoned rail bed that was previously removed many years ago, upgrade the existing abandoned rail bed, and construct a pedestrian greenway trail on the old rail bed.

MINIMUM IMPACT PROJECT

2017-00845

SULLIVAN, JEAN/KEVIN

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Impact 896 square feet of bank along 27 linear feet of shoreline to expand an existing perched beach to 481 square feet in total area on an average of 150 feet of frontage along Lake Winnepesaukee in Moultonborough.

Conservation Commission/Staff Comments:

Per DHR, no historic properties affected.

APPROVE PERMIT

Impact 896 square feet of bank along 27 linear feet of shoreline to expand an existing perched beach to 481 square feet in total area on an average of 150 feet of frontage along Lake Winnepesaukee in Moultonborough.

With Conditions:

1. All work shall be in accordance with revised plans by Dale E. McConkey dated August 16, 2017, as received by DES on August 16, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. The rocks existing at the normal high water line shall remain undisturbed such that the pre-existing shoreline remains visible and intact.
8. The steps installed for access to the water shall remain located completely landward of the normal high water line.
9. No more than 10 cu. yd. of sand shall be used and all sand shall be located above the normal high water line.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
12. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d) construction of a 481 square foot beach serving a privately-owned single family residence.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2017-01460

DUFRESNE, LUCIE/RAYMOND

SALEM ARLINGTON MILL RESERVOIR

Requested Action:

Retain 4.5 cubic yards of sand place on an 8 ft. x 66 ft. sloped beach on 93 feet of frontage along Arlington Mill Reservoir in Salem.

Conservation Commission/Staff Comments:

5/25/17 Con. Com. requests a "hold" on this application until they can investigate and submit comments.

6/8/17 Per Town of Salem, Con. Com. wishes to advise that it has completed its review of the application, including a site visit and has voted to recommend disapproval of the application and plans as submitted.

APPROVE AFTER THE FACT

Retain 4.5 cubic yards of sand place on an 8 ft. x 66 ft. sloped beach on 93 feet of frontage along Arlington Mill Reservoir in Salem.

With Conditions:

1. The beach shall not be enlarged beyond the dimensions and footprint shown on plans by the Applicant as received by DES on May 23, 2017.
2. All development activities on this frontage shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This approval authorizes, after the fact, the single beach replenishment claimed. Any future beach replenishment shall require a new permit.
4. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa) replenishment of sand on an existing beach using not more than 10 cubic yards of sand placed entirely above the high water line or full pond elevation.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. There is insufficient evidence available to the Department to determine whether or not sand may have been placed below the highwater line of Arlington Mill Reservoir.

2017-01739

THOMAS & CAROL PICKETT REV TR OF 2007

ALTON LAKE WINNIPESAUKEE

Requested Action:

Reset rocks to repair 70 linear feet of breakwater, in an "L" configuration, with a 23 ft. gap at the shoreline, a 4 ft. x 40 ft. cantilevered pier, a 3 ft. x 30 ft. piling pier and a 6 ft. x 30 ft. piling pier connected by a 4 ft. x 36 ft. 10 in. walkway in an "E" configuration accessed by a 6 ft. x 15 ft. walkway on an average of 165 feet of frontage along Lake Winnepesaukee on Smith Point, in Alton.

APPROVE PERMIT

Reset rocks to repair 70 linear feet of breakwater, in an "L" configuration, with a 23 ft. gap at the shoreline, a 4 ft. x 40 ft. cantilevered pier, a 3 ft. x 30 ft. piling pier and a 6 ft. x 30 ft. piling pier connected by a 4 ft. x 36 ft. 10 in. walkway in an "E" configuration accessed by a 6 ft. x 15 ft. walkway on an average of 165 feet of frontage along Lake Winnepesaukee on Smith Point, in Alton.

With Conditions:

1. All work shall be in accordance with revised plans by Winnepesaukee Marine Construction, Inc. dated October 29, 2017, as received by DES on August 31, 2017.

09/11/2017 to 09/17/2017

2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
7. Only existing rocks that have been dislodged from the structure(s) shall be used for the repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.
8. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
9. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
10. This permit does not allow dredging for any purpose.
11. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates

With Findings:

1. This project is deemed to be a minimum impact project per Administrative Rule Env-Wt 303.04(o).
2. The repairs of the docking structures in kind would qualify as a minimum impact project per Rule Env-Wt 303.04(v).
3. The 6 ft. x 15 ft. walkway used to access the docking structures was not constructed in the originally approved location.
4. The relocation of the access walkway does not increase the construction area over public waters nor does it increase the environmental impact of the structure.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2017-01963

STONEMARK HOMES INC

DERRY Unnamed Wetland

Requested Action:

Impact 700 square feet of forested wetland for the installation of a 18-inch by 30-foot ADS culvert for the construction of a driveway for access to a single family residential dwelling on approximately 13 acres.

APPROVE PERMIT

Impact 700 square feet of forested wetland for the installation of a 18-inch by 30-foot ADS culvert for the construction of a driveway for access to a single family residential dwelling on approximately 13 acres.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated May 30, 2017 as received by the NH Department of Environmental Services (NHDES) on July 5, 2017.
2. This permit is not valid unless a septic system construction approval pursuant to RSA 485-A:29-44 and Env-Wq 1000 is issued.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Work shall be done during low flow and in the dry only.

09/11/2017 to 09/17/2017

6. Blanding's turtles may be encountered in uplands as well as in or near vernal pools, wetlands, and slow moving streams. Construction personnel should be made aware of the potential to encounter this turtle especially during turtle nesting season which extends from late May through the beginning of July. If Blanding turtle are found laying eggs in a work or staging area at any time, please contact Kim Tuttle or Mike Marchand, NH Fish and Game, Nongame and Endangered Wildlife Program , at 271-3016 for instructions.
7. Avoid the use of welded plastic or 'biodegradable plastic' netting or thread in erosion control matting at this site if needed. There are numerous documented cases of wildlife being trapped and killed in erosion control matting with synthetic netting. Several 'wildlife friendly' options such as woven organic material (e.g., coco matting) are commercially available. Attached are examples of acceptable erosion control blankets. This is okay also: A cut sheet of a net free RECB can be seen here: <http://americanexcelsior.com/wp-content/uploads/2015/02/Biodegradable-Blanket-With-Out-Netting-Material-Curlex-NetFree.pdf>
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
11. The channel at the culvert inlet and outlet must maintain the natural and a consistent elevation with the surrounding substrate and not impede water flow.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
14. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant;
2. The impacts are necessary to construct a driveway to buildable uplands; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will occur at the narrowest portion of wetlands and utilize an existing ATV trail; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB16-3738 identifying three (3) vertebrate species in the vicinity of the proposed project.
6. In response to the NHB Letter, NH Fish and Game, Nongame and Endangered Wildlife Program (NHFG) requested turtle sightings be reported to NHFG and avoiding the use of welded plastic or 'biodegradable plastic' in erosion control matting.
7. In response to the NHFG recommendations, the permit has been conditioned to address turtle sightings and erosion controls.
8. No comments were received from the Derry Conservation Commission on the application.

EXPEDITED MINIMUM

2017-01754

BEMIS, SCOT

WILMOT CHASE POND

Requested Action:

Install a 6 ft. x 6 ft. "L" at the lakeward end of a 4 ft. x 24 ft. seasonal pier on 295 feet of frontage on Chase Pond in Wilmot.

Conservation Commission/Staff Comments:

Received a call from Johnathan (property owner) indicating that the applicant does not own the frontage and does not have permission to extend the dock.

DENY PERMIT

Install a 6 ft. x 6 ft. "L" at the lakeward end of a 4 ft. x 24 ft. seasonal pier on 295 feet of frontage on Chase Pond in Wilmot.

With Findings:

Standards for Approval

1. In accordance with Rule Env-Wt 101.06 "Applicant" means a person having an interest in the land on which a project is to be located that is sufficient for the person to legally proceed with the project who has applied for a permit, permit modification, waiver, or other approval pursuant to Env-Wt 200 through Env-Wt 800, or the duly authorized agent of such a person.
2. This project is classified as a minimum impact project per Rule Env-Wt 303.04 (a), modification of a seasonal docking structure providing not more than 2 slips.

Findings of Fact

1. On June 29, 2017 the Department received an application for a permit to install a 6 ft. x 6 ft. extension at the end of an existing seasonal dock on Chase Pond attached to property identified as Lot #24-11 on Wilmot Tax Map 11.
2. Chase Pond (the Pond) is an artificial impoundment owned in fee by the Chase Pond Condominium Owners Association and identified as Lot #100 on Wilmot Tax Map 16.
3. On August 9, 2017, the Department received written correspondence from the Chase Pond Condominium Owners Association stating that the Individual who had filed the application had not been granted permission to install the proposed dock extension on their property, the Pond.

Ruling in Support of the Decision

1. The application was not filed by an individual having an interest in the land on which a project is to be located that is sufficient for the person to legally proceed with the project, therefore the request for a permit is denied .

2017-02194

TOWN OF RANDOLPH NH

RANDOLPH Unnamed Stream

Requested Action:

Dredge and fill 100 square feet (SF) within an unnamed tier one intermittent stream (impacting 15 linear feet along the stream bed) to install a 4 foot high by 5 foot wide open-bottom, precast, concrete culvert that is 30 feet long to replace the failing concrete, stone, and corrugated metal pipe culvert across a municipal roadway. In addition, temporarily impact 125 SF (impacting 30 linear feet along the stream bed) for equipment access and erosion controls.

APPROVE PERMIT

Dredge and fill 100 square feet (SF) within an unnamed tier one intermittent stream (impacting 15 linear feet along the stream bed) to install a 4 foot high by 5 foot wide open-bottom, precast, concrete culvert that is 30 feet long to replace the failing concrete, stone, and corrugated metal pipe culvert across a municipal roadway. In addition, temporarily impact 125 SF

(impacting 30 linear feet along the stream bed) for equipment access and erosion controls.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC dated May 20, 2017, and revised through August 24, 2017, as received by the NH Department of Environmental Services (DES) on September 11, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and New Hampshire Administrative Rule Env-Wq 1400 during and after construction.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Administrative Rule Env-Wq 1700.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
5. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
6. Appropriate turbidity, siltation, and erosion controls shall be in place prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until the area is stabilized, suspended particles have settled, and water at the work site has returned to normal clarity. Temporary controls shall be removed once the area has been stabilized.
7. Turbidity and erosion control products shall be installed per manufacturers recommended specifications during periods of low flow. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
10. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only.
12. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. No machinery shall enter the water.
14. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
15. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
16. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
18. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
19. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
20. Native material removed from the streambed during culvert installation shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert, between wing walls, and beyond. Any new materials used must be as similar to the natural stream substrate as practicable and shall not include any angular rock.
21. Materials used to emulate a natural channel bottom must be consistent with the streambed materials identified in the reference reach, and shall not include angular riprap or gravel unless specifically identified on the approved plans.
22. Proper headwalls shall be constructed within seven days of culvert installation.
23. Any fill used shall be well-graded, clean sand, gravel, rock, or other suitable material.
24. Area of temporary impact shall be regraded to original contours following completion of work.
25. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 903.01(e)(3), for replacement of a tier one stream crossing that meets NH Administrative Rule Env-Wt 904.07(c).
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01. The project is necessary for public roadway maintenance.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact

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to areas and environments under the department's jurisdiction per NH Administrative Rule Env-Wt 302.03. The proposed impacts associated with this crossing are within a previously disturbed area of wetlands located adjacent to a public roadway.

4. The applicant has demonstrated by plan and example that each factor listed in NH Administrative Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. An open-bottom, precast, concrete culvert will be installed in place of the originally proposed closed-bottom, box culvert with stream simulation.

6. The Town of Randolph Conservation Commission signed the wetlands permit application on May 01, 2017, waiving the right to intervene per RSA 482-A:11 with no objection to the proposed work.

7. In a review letter dated April 09, 2017, the NH Natural Heritage Bureau (NHB) stated that there was no record in the vicinity of the proposed project.

2017-02482

SPRUCE BUILDING AND DEVELOPMENT

CANDIA

Requested Action:

Impact a total of 1,070 square feet of forested wetland for the construction of a driveway and installation of a 12-inch RCP culvert for access to a single family residential dwelling on approximately 3.184 acres.

APPROVE PERMIT

Impact a total of 1,070 square feet of forested wetland for the construction of a driveway and installation of a 12-inch RCP culvert for access to a single family residential dwelling on approximately 3.184 acres.

With Conditions:

1. All work shall be in accordance with plans by Jason Franklin dated August 14, 2017 as received by the NH Department of Environmental Services (NHDES) on August 18, 2017.
2. This permit is not valid unless a septic system construction approval pursuant to RSA 485-A:29-44 and Env-Wq 1000 is issued.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Work shall be done during low flow and in the dry only.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
9. The channel at the culvert inlet and outlet must maintain the natural and a consistent elevation with the surrounding substrate and not impede water flow.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k),

- provided that no previous department permit has placed restrictions on the property of the applicant.
2. The impacts have been previously approved under Wetlands Permit 2011-01150 on July 26, 2011 and the permit expired on July 26, 2016.
 3. The impacts are necessary to access buildable uplands; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
 4. The impacts occur at the narrowest portion of wetlands; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
 5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
 6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
 7. The Candia Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

PERMIT BY NOTIFICATION

2017-02328

WALLULA COMMUNITY HOMEOWNERS ASSOC

NEW LONDON LITTLE SUNAPEE LAKE

Requested Action:

Replenishment of existing perched beach with no more than 6 cubic yards of clean sand according to the plan drawing by Russell Grace dated 09/05/2017 on frontage along Little Lake Sunapee in New London.

PBN IS COMPLETE

Replenishment of existing perched beach with no more than 6 cubic yards of clean sand according to the plan drawing by Russell Grace dated 09/05/2017 on frontage along Little Lake Sunapee in New London.

2017-02392

**BEAVER MANAGEMENT CORP, C/O ROBERT NELSON MD
BEAVER MANAGEMENT CORP**

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Replace in-kind 2 ice clusters of 3 piles each; replace in-kind 6 fender piles; and repair and replace in-kind docking and joists according to plans by King Stoneworks Inc. received by NHDES on 09/15/2017 on frontage along Lake Winnepesaukee in Meredith.

PBN IS COMPLETE

Replace in-kind 2 ice clusters of 3 piles each; replace in-kind 6 fender piles; and repair and replace in-kind docking and joists according to plans by King Stoneworks Inc. received by NHDES on 09/15/2017 on frontage along Lake Winnepesaukee in Meredith.

2017-02510

RICHARD D. WATSON TRUST

STRAFFORD BOW LAKE

Requested Action:

Repair in-kind in the dry of the existing retaining stone wall not to exceed 45 linear feet along the northwest wall of jetty according to plans received by NHDES on 08/22/2017 along frontage on Bow Lake in Strafford.

PBN IS COMPLETE

Repair in-kind in the dry of the existing retaining stone wall not to exceed 45 linear feet along the northwest wall of jetty according to plans received by NHDES on 08/22/2017 along frontage on Bow Lake in Strafford.

2017-02512

KMITO, LOUIS & MARTHA

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Repair in-kind 21 ft. of existing lakeward retaining wall with imbedded steps to the water; replenish existing beach with no more than 10 cubic yards of clean sand; and replace in-kind five 5 ft. wide existing steps descending to the perched beach and existing dock according to plan drawings by Stephens Landscaping Professionals LLC dated 08/11/2017 on frontage along Lake Winnepesaukee in Moultonborough.

PBN IS COMPLETE

Repair in-kind 21 ft. of existing lakeward retaining wall with imbedded steps to the water; replenish existing beach with no more than 10 cubic yards of clean sand; and replace in-kind five 5 ft. wide existing steps descending to the perched beach and existing dock according to plan drawings by Stephens Landscaping Professionals LLC dated 08/11/2017 on frontage along Lake Winnepesaukee in Moultonborough.

-Send to Governor and Executive Council-

2017-02545

FULLER, TODD

WAKEFIELD PINE RIVER POND

Requested Action:

Replacement in two phases of the 3 ft. x 220 ft. lake ward retaining wall with temporary impacts for work done in the dry during the lake drawdown on frontage along Pine River Pond in Wakefield.

PBN IS COMPLETE

Replacement in two phases of the 3 ft. x 220 ft. lake ward retaining wall with temporary impacts for work done in the dry during the lake drawdown on frontage along Pine River Pond in Wakefield.

2017-02705

HIDDEN HILL FARM ALPACA LLC

ANTRIM Unnamed Pond

FORESTRY NOTIFICATION

2017-02724

MARTHA/JUDITH, HAMMOND/STONE

DUNBARTON Unnamed Stream

COMPLETE NOTIFICATION

DUNBARTON; TAX MAP# B4; LOT 03-05

2017-02729

NEW ENGLAND FORESTRY FOUNDATION

JAFFREY Unnamed Stream

COMPLETE NOTIFICATION

JAFFREY; TAX MAP# 227; LOT# 18

2017-02736

PIRKEY, JOHN/CYNTHIA

HANCOCK Unnamed Stream

COMPLETE NOTIFICATION

HANCOCK; TAX MAP# R15; LOT# 2

2017-02770

WHITE, TINA

ANDOVER Unnamed Stream

COMPLETE NOTIFICATION

ANDOVER; TAX MAP# 6; LOT(S)# 540, 388

2017-02771

RUDZINSKY, BOHDAN

SANBORNTON Unnamed Stream

COMPLETE NOTIFICATION
SANBORNTON; TAX MAP# 16; LOT# 55

2017-02772

SCHWAEGLER, BRUCE/SARAH

ORFORD Unnamed Stream

COMPLETE NOTIFICATION
ORFORD; TAX MAP(S)# 7-34/7-32; LOT(S)# 3/29

2017-02774

JOYCE, WILLIAM

GILMANTON Unnamed Stream

COMPLETE NOTIFICATION
GILMANTON; MAP# 406; LOT# 54

2017-02776

PITMAN, ALEXIS

WILTON Unnamed Stream

COMPLETE NOTIFICATION
WILTON; TAX MAP# F; LOT# 125

2017-02788

GREEN CROW CORPORATION

MARLBOROUGH Unnamed Stream

COMPLETE NOTIFICATION
MARLBOROUGH; TAX MAP# 7; LOT# 10

2017-02793 STAR LAKE PROPERTIES

SPRINGFIELD Unnamed Stream

COMPLETE NOTIFICATION
SPRINGFIELD; TAX MAP(S)# 8/13; LOT(S)# 400-457,763-190/661-038

2017-02798 GRIFFTH REVOCABLE TRUST, JOHN

WILTON Unnamed Stream

COMPLETE NOTIFICATION
WILTON; TAX MAP# F; LOT(S) 124,124-1

2017-02799 WEEKS, COLIN

MOULTONBOROUGH Unnamed Stream

COMPLETE NOTIFICATION
MOULTONBOROUGH; TAX MAP# 154; BLOCK# 2

LAKES-SEASONAL DOCK NOTIFICATION

2017-02628 BUMBARGER, ESTELLE

FITZWILLIAM SIP POND

Requested Action:

The Seasonal Dock Notification is denied as it appears there is no evidence of the applicant holding in fee ownership of 75 feet of frontage on the identified parcel.

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN

The Seasonal Dock Notification is denied as it appears there is no evidence of the applicant holding in fee ownership of 75 feet of frontage on the identified parcel.

2017-02754

FERGUSON, LAURIE

BARRINGTON LONG POND

Requested Action:

Installation of a seasonal pier not to exceed 6 ft. X 30 ft. on frontage along Long Pond in Barrington.

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 6 ft. X 30 ft. on frontage along Long Pond in Barrington.

2017-02756

STRAUCH, KATHRYN

NORTHWOOD BOW LAKE

Requested Action:

Installation of a seasonal pier not to exceed 5 ft. X 30 ft. on frontage along Bow Lake in Northwood.

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 5 ft. X 30 ft. on frontage along Bow Lake in Northwood.

ROADWAY MAINTENANCE NOTIFICATION

2017-02749

NHDOT CONSTRUCTION BUREAU

ENFIELD Unnamed Wetland

2017-02750

BEDFORD, TOWN OF

BEDFORD Unnamed Wetland

2017-02752

AMHERST MUNICIPALITY

AMHERST Unnamed Wetland

2017-02753

NHDOT DISTRICT 4

WESTMORELAND Unnamed Wetland

EMERGENCY AUTHORIZATION

2017-01954

WENTWORTH, TOWN OF

WENTWORTH

RETURNED

2017-01770

SUSAN P ARRUDA REVOCABLE TRUST

WOLFEBORO LAKE WINNIPESAUKEE

Requested Action:

Replace a 3 piling ice cluster protecting a 6 ft. x 30 ft. pier in kind and restore one rock to its position on the end of a 50 ft. long breakwater on 80 feet of frontage along Lake Winnepesaukee in Wolfeboro.

APPROVE PERMIT

Replace a 3 piling ice cluster protecting a 6 ft. x 30 ft. pier in kind and restore one rock to its position on the end of a 50 ft. long breakwater on 80 feet of frontage along Lake Winnepesaukee in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by the Applicant, as received by DES on August 31, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the

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- applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
 4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
 5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
 6. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
 7. Only single rock that has fallen from the structure(s) shall be restored to the structure. No additional rock shall be used or moved.
 8. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
 9. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
 10. This permit does not allow dredging for any purpose.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v) maintenance, repair, or replacement of existing docking structures, in-kind.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

SHORELAND PERMIT

2016-01942

BENSON, HARRY

HOPKINTON ROLF POND

Requested Action:

Applicant requests that the project be amended to include an additional 811 square feet (SF) of temporary impacts for the purpose of installing a new individual septic system.

APPROVE AMENDMENT

Amend permit to read: Impact 2, 511 sq. ft. of protected shoreland in order to replace a non-conforming structure with a larger non-conforming structure with a deck located further from the reference line, construct a garage and a septic system.

With Conditions:

1. All work shall be in accordance with revised plans by George J. Murphy dated August 25, 2017 and received by the NH Department of Environmental Services (DES) on September 7, 2017.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
4. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 788 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

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8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02480

**KENNEY, WILLIAM/SUSAN
KENNEY, SUSAN/WILLIAM**

NEW LONDON PLEASANT LAKE

Requested Action:

Impact 22,939 square feet of protected shoreland in order to replace existing primary structure in new footprint, construct a detached two bay garage, driveway, path, and patio. Remove and plant existing driveway.

Conservation Commission/Staff Comments:

Based on photos submitted, the waterfront patio appears to be a violation of 2013-01809, this case was referred to compliance for investigation.

APPROVE PERMIT

Impact 22,939 square feet of protected shoreland in order to replace existing primary structure in new footprint, construct a detached two bay garage, driveway, path, and patio. Remove and plant existing driveway.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated August 2017 and received by the NH Department of Environmental Services (NHDES) on August 18, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 15.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 5,409 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction

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regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.